

CLAIMANT NAME: **New Suncadia, LLC** COURT CLAIM NO. 00648  
**WA State Department of Ecology**

Certificate Number: S4-84770-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary of Swauk Creek

Use: Instream flows for mitigation of consumptive use or other cumulative impacts by the New Suncadia LLC Resort

Period of Use: April 1 through October 15

Quantity: 148.58 acre-feet per year for instream flows of which up to 141.11 acre-feet per year for mitigation of consumptive use and other cumulative impacts by the New Suncadia LLC

Primary Reach - 517.83 acre-feet per year (ac-ft/yr) to be distributed as follows:  
1.18 cubic feet per second (cfs), 70.49 acre-feet (ac-ft) in April; 1.33 cfs, 82.07 ac-ft in May; 1.37 cfs, 81.29 ac-ft in June; 1.44 cfs, 88.65 ac-ft in July; 1.40 cfs, 86.13 ac-ft in August; 1.29 cfs, 76.64 ac-ft in September; 1.09 cfs, 32.57 ac-ft in October

Secondary Reach - 148.58 ac-ft/yr to be distributed as follows:  
0.24 cfs, 14.54 ac-ft in April; 0.39 cfs, 24.26 ac-ft in May; 0.43 cfs, 25.35 ac-ft in June; 0.50 cfs, 30.84 ac-ft in July; 0.46 cfs, 28.32 ac-ft in August; 0.35 cfs, 20.69 ac-ft in September; 0.15 cfs, 4.60 ac-ft in October

Priority Date: **November 2, 1877**

Point of Diversion: N/A

Place of Use: Beginning at a point located 800 feet south and 100 feet east from the north quarter corner of Section 30, T. 20 N., R. 18 E.W.M. on First Creek, downstream to the First Creek and Swauk Creek confluence, and downstream to the Swauk and Yakima River confluence.

Limitations Of Use: The 141.11 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with New Suncadia LLC and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water available under this authorization, and to ensure the use of water under this authorization is protective of the

water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum Urban Growth Area (UGA) Environmental Impact Statement (EIS). This plan shall contain:

- a. Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.
- b. The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.
- c. Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia LLC for the quantities of water authorized herein.

New Suncadia LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water (Qa) available to mitigate for the mainstem claim transfers associated with the New Suncadia LLC development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the New Suncadia LLC development will be less 0.831 acre-feet per year per ERU developed on appurtenant property (up to a total of 7.47 acre-feet per year). Future landowners on property appurtenant to the New Suncadia LLC claim have two options for use of the 7.47 ac-ft/yr described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-YRB04CC00648.

CLAIMANT NAME: **New Suncadia, LLC** COURT CLAIM NO. 00648  
**WA State Department of Ecology**

Certificate Number: S4-85195-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary to Swauk Creek

Use: Instream flows and mitigation

Period of Use: October 16 to March 31

Quantity: Primary Reach - 0.034 cubic foot per second from October 16 to March 31, 11.45 acre-feet per yr (ac-ft/yr) to be distributed as follows:  
1.09 acre-feet (ac-ft) from October 16 to October 31; 2.04 ac-ft in November; 2.11 ac-ft in December; 2.11 ac-ft in January; 1.98 ac-ft in February; 2.12 ac-ft in March

Priority Date: **November 2, 1877**

Point of Diversion: N/A

Place of Use: Beginning at a point located 800 feet south and 100 feet east from the north quarter corner of Section 30, T. 20 N., R. 18 E.W.M., on First Creek, downstream to the First Creek and Swauk Creek confluence, and downstream to the Swauk Creek and Yakima River confluence, and downstream to the point where Reecer Creek enters the Yakima River. When the consumptive portion of the instream flow right is not being used for mitigation, the unused quantity will be added to target flows at Parker Dam and continue downstream to the confluence of the Yakima and Columbia Rivers.

Limitations Of Use: Monitoring and management of the 11.45 acre-feet (consumptive use) of water associated with this authorization will be integrated into New Suncadia LLC's water monitoring and management program established in 2003. Its purpose is to ensure the amount of water used at New Suncadia LLC's Resort is consistent with the water available under its portfolio of water right change authorizations. The use of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary streams. The Water Monitoring and Management Plan may be modified upon agreement between New Suncadia LLC's and the Department of Ecology after informal consultation with the United State Bureau of Reclamation. Modifications to the plan must be agreed to in writing, signed by authorized representatives of New Suncadia LLC's and Ecology.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (AB) sb4-b.

CLAIMANT NAME: **New Suncadia, LLC** COURT CLAIM NO. 00648  
**WA State Department of Ecology**

Certificate Number: S4-85194-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary of Swauk Creek

Use: Instream flows

Period of Use: October 16 to March 31

Quantity: Primary Reach - 2.7264 cubic feet per second from October 16 to March 31, 903.024 acre-feet per yr (ac-ft/yr) to be distributed as follows:  
86.517 acre-feet (ac-ft) from October 16 to October 31;  
162.220 ac-ft in November; 167.627 ac-ft in December;  
167.627 ac-ft in January; 151.405 ac-ft in February;  
167.627 ac-ft in March

Priority Date: **November 2, 1877**

Point of Diversion: N/A

Place of Use: Beginning at a point located 800 feet south and 100 feet east from the north quarter corner of Section 30, T. 20 N., R. 18 E.W.M., on First Creek, downstream to the First Creek and Swauk Creek confluence, and downstream to the Swauk Creek and Yakima River confluence and downstream to the point where Reecer Creek enters the Yakima River.

Limitations Of Use: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (AB) sb4-a.

CLAIMANT NAME:

**New Suncadia, LLC**  
**WA State Department of Ecology**

COURT CLAIM NO. 00648

Certificate Number:

S4-85193-J

Subbasin:

04 Swauk Creek

Source:

First Creek, tributary of Swauk Creek

Use:

Instream flows for mitigation of consumptive use or other cumulative impacts by the Cle Elum Urban Growth Area (UGA) development

Period of Use:

April 1 through October 15

Quantity:

69.43 acre-feet per year for instream flows of which up to 65.69 acre-feet per year for mitigation of consumptive use or other cumulative impacts by the Cle Elum UGA development.

Primary Reach - 241.97 acre-feet per year (ac-ft/yr) to be distributed as follows:

0.55 cubic-foot per second (cfs), 32.94 acre-feet (ac-ft) in April; 0.62 cfs, 38.35 ac-ft in May; 0.64 cfs, 37.99 ac-ft in June; 0.67 cfs, 41.42 ac-ft in July; 0.65 cfs, 40.25 ac-ft in August; 0.60 cfs, 35.81 ac-ft in September; 0.51 cfs, 15.22 ac-ft in October

Secondary Reach - 69.43 ac-ft/yr to be distributed as follows:

0.11 cfs, 6.80 ac-ft in April; 0.18 cfs, 11.33 ac-ft in May; 0.20 cfs, 11.84 ac-ft in June; 0.23 cfs, 14.41 ac-ft in July; 0.22 cfs, 13.23 ac-ft in August; 0.16 cfs, 9.67 ac-ft in September; 0.07 cfs, 2.15 ac-ft in October

Priority Date:

**November 2, 1877**

Point of Diversion:

N/A

Place of Use:

Beginning at a point located 800 feet south and 100 feet east from the north quarter corner of Section 30, T. 20 N., R. 18 E.W.M. on First Creek, downstream to the First Creek and Swauk Creek confluence, and downstream to the Swauk and Yakima River confluence.

Limitations Of Use:

The 65.69 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with the Cle Elum UGA development and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water available under this authorization, and to ensure the use of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum Urban Growth Area (UGA) Environmental Impact Statement (EIS). This plan shall contain:

- a. Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.
- b. The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.
- c. Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia LLC for the quantities of water authorized herein.

New Suncadia LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water available to mitigate for the mainstem claim transfers associated with the Cle Elum UGA development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the Cle Elum UGA development will be less 0.415 acre-feet per year per Equivalent Residential Unit (up to a total of 3.74 acre-feet per year) developed on appurtenant property (up to a total of 65.69 acre-feet per year). Future landowners on property appurtenant to the New Suncadia LLC claim have two options for use of the 3.47 ac-ft/yr described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (A) CTCL.

CLAIMANT NAME:

**J. P. Roan**  
**WA State Department of Ecology**

COURT CLAIM NO. 00648

Certificate Number: S4-85198-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary to Swauk Creek

Use: Instream flows and mitigation

Period of Use: October 16 to March 31

Quantity: Primary Reach - 0.024 cubic foot per second from October 16 to March 31, 7.9 acre-feet per yr (ac-ft/yr) to be distributed as follows:  
0.71 acre-feet (ac-ft) from October 16 to October 31; 1.42 ac-ft in November; 1.47 ac-ft in December; 1.47 ac-ft in January; 1.37 ac-ft in February; 1.46 ac-ft in March

Priority Date: **November 2, 1877**

Point of Diversion: N/A

Place of Use: The primary reach begins at the original point of diversion located 800 feet south and 100 feet east from the north quarter corner of Section 30, within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M., on First Creek and extends downstream to the confluence of First Creek and Swauk Creek (3.9 river miles), downstream to the confluence of Swauk Creek and the Yakima River (7.5 river miles), and extends to the point where Reecer Creek enters the Yakima River (16 river miles, for a total of 27.4 river miles). When the consumptive portion of the instream flow right is not being used for mitigation, the unused quantity will be added to target flows at Parker Dam and continue downstream to the confluence of the Yakima and Columbia Rivers.

Limitations Of Use: To the extent that the right is used to mitigate for new uses, the Secondary Reach will end at the United State Bureau of Reclamation Parker Dam Gage on the Yakima River.

A Water Monitoring and Management Plan is required. Monitoring and management of the 7.9 acre-feet of water associated with this authorization may be integrated into New Suncadia LLC's water monitoring and management program established in 2003, or it can be developed independent of New Suncadia LLC's plan. Its purpose is to ensure the amount of water proposed for use under new applications is consistent with the water available in First Creek and that the water supply is suitably reliable for domestic purposes. At the time of this report, the following applications propose to use Roan First Creek water for mitigation: G4-35541, G4-35542, G4-35543, G4-35544, G4-35545, G4-35546, G4-35547, G4-35548, and permit exempt uses within the same place of use. The Water Monitoring and

Management Plan may be modified from time to time, upon agreement between Roan and the Department of Ecology after informal consultation with US Bureau of Reclamation. Modifications to the plan must be agreed to in writing, signed by authorized representatives of Roan and the Department of Ecology.

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (AA) sb4-c (A) .



CLAIMANT NAME: J. P. Roan COURT CLAIM NO. 00648

Certificate Number: S4-85197-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary to Swauk Creek

Use: Irrigation of 30.05 acres and stock water

Period of Use: April 1 through October 15

Quantity: 0.867 cubic-feet per second; 165.2 acre-feet per year

Priority Date: November 2, 1877

Point of Diversion: 1) 800 ft south and 100 ft east from the north quarter corner of Section 30, within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M. (47.20247, -120.62997).  
2) A point within the NE $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19978, -120.63039).  
3) A point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19449, -120.63626). Datum: NAD83/WGS84

Place of Use: The SE $\frac{1}{4}$  of Section 17; the W $\frac{1}{2}$ E $\frac{1}{4}$  Section 20, EXCEPT for the S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$  of said section; NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and that portion of the N $\frac{1}{2}$  of Section 21, which is described as follows: A tract of land bounded by a line beginning at a point on the west boundary line of the NE $\frac{1}{4}$  of said Section 66 feet north of the southwest corner of said quarter section, and running thence east 66 feet; thence north on a line parallel with the west boundary line of said quarter section 1650 feet; thence west 66 feet to the west boundary line of said quarter section; thence north to the north boundary line of said quarter section; thence west to the northwest corner of said section; thence south on the west boundary line of said section to the southwest corner of the NW $\frac{1}{4}$  of said section; thence east on the south boundary line of said NW $\frac{1}{4}$  of said section 990 feet; thence north 66 feet; and thence east on a line parallel with the south boundary line of said quarter section 1650 feet to the point of beginning; ALL in T. 19 N., R. 18 E.W.M.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (AA) sb4-c.

CLAIMANT NAME:

**J. P. Roan**  
**WA State Department of Ecology**

COURT CLAIM NO. 00648

Certificate Number:

S4-85121-J

Subbasin:

04 Swauk Creek

Source:

First Creek, a tributary to Swauk Creek

Use:

Instream flows and mitigation

Period of Use:

April 1 through October 15

Quantity:

Primary Reach - 43.30 acre-feet per year (ac-ft/yr) to be distributed as follows:

0.110 cubic foot per second (cfs) and 6.55 acre-feet (ac-ft) in April; 0.110 cfs and 6.76 ac-ft in May; 0.110 cfs and 6.55 ac-ft in June; 0.110 cfs and 6.76 ac-ft in July; 0.110 cfs and 6.76 ac-ft in August; 0.110 cfs and 6.55 ac-ft in September; 0.110 cfs and 3.37 ac-ft in October

Secondary Reach - 22.81 ac-ft/yr to be distributed as follows:

0.000 cfs and 0.00 ac-ft in April; 0.036 cfs and 2.23 ac-ft in May; 0.083 cfs and 4.93 ac-ft in June; 0.110 cfs and 6.76 ac-ft in July; 0.088 cfs and 5.39 ac-ft in August; 0.052 cfs and 3.07 ac-ft in September; 0.007 cfs and 0.44 ac-ft in October

Priority Date:

**November 2, 1877**

Point of Diversion:

N/A

Place of Use:

The primary reach begins at the original point of diversion located 800 feet south and 100 feet east from the north quarter corner of Section 30, within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M., on First Creek and extends downstream to the confluence of First Creek and Swauk Creek (3.9 river miles), downstream to the confluence of Swauk Creek and the Yakima River (7.5 river miles), and extends to the point where Reecer Creek enters the Yakima River (16 river miles, for a total of 27.4 river miles). When the consumptive portion of the instream flow right is not being used for mitigation, the unused quantity will be added to target flows at Parker Dam and continue downstream to the confluence of the Yakima and Columbia Rivers.

Limitations Of Use:

Monitoring and management of the 22.81 acre-feet (consumptive use) of water associated with this authorization will be integrated into New Suncadia LLC's water monitoring and management program established in 2003. Its purpose is to ensure the amount of water used at New Suncadia LLC is consistent with the water available under its portfolio of water right change authorizations.

The use of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary streams. The Water Monitoring and Management Plan may be modified upon agreement between New Suncadia LLC and the Department of Ecology after informal consultation with the USBR. Modifications to the plan must be agreed to in writing, signed by authorized representatives of New Suncadia LLC and Ecology.

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (AA) sb4-b.

CLAIMANT NAME:

**J. P. Roan**  
**WA State Department of Ecology**

COURT CLAIM NO. 00648

Certificate Number:

S4-83880-J

Subbasin:

04 Swauk Creek

Source:

First Creek, tributary to Swauk Creek

Use:

Instream flows

Period of Use:

October 16 through March 31

Quantity:

Primary Reach - 1.63 cubic foot per second from October 16 to March 31, 539.874 acre-feet per yr (ac-ft/yr) to be distributed as follows:  
51.724 acre-feet (ac-ft) from October 16 to October 31;  
96.983 ac-ft in November; 100.216 ac-ft in December;  
100.216 ac-ft in January; 90.518 ac-ft in February; 100.216 ac-ft in March

Priority Date:

**November 2, 1877**

Point of Diversion:

N/A

Place of Use:

The primary reach begins at the original point of diversion located 800 feet south and 100 feet east from the north quarter corner of Section 30, within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M., on First Creek and extends downstream to the confluence of First Creek and Swauk Creek (3.9 river miles), downstream to the confluence of Swauk Creek and the Yakima River (7.5 river miles), and extends to the point where Reecer Creek enters the Yakima River (16 river miles, for a total of 27.4 river miles).

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648(AA)sb4-a.

CLAIMANT NAME: **Jack White, Jr.** COURT CLAIM NO. 00648

Certificate Number: S4-85199-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary of Swauk Creek

Use: Instream flows

Period of Use: October 16 through March 31

Quantity: Primary Reach - 1.58 cubic foot per second from October 16 to March 31, 523.314 acre-feet per yr (ac-ft/yr) to be distributed as follows:  
50.138 acre-feet (ac-ft) from October 16 to October 31;  
94.008 ac-ft in November; 97.142 ac-ft in December; 97.142 ac-ft in January; 87.741 ac-ft in February; 97.142 ac-ft in March

Priority Date: **November 2, 1877**

Point of Diversion: N/A

Place of Use: The primary reach begins at the original point of diversion located 800 feet south and 100 feet east from the north quarter corner of Section 30, within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M., on First Creek and extends downstream to the confluence of First Creek and Swauk Creek, downstream to the confluence of Swauk Creek and the Yakima River, and extends to the point where Reecer Creek enters the Yakima River.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (AC) sb4-a.

CLAIMANT NAME: **Jack White, Jr.** COURT CLAIM NO. 00648

Certificate Number: S4-84772-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary of Swauk Creek

Use: Irrigation of 36.75 acres and stock water

Period of Use: April 1 through October 15 for irrigation; continuous for stock watering

Quantity: 0.947 cubic foot per second, 202.06 acre-feet per year for irrigation and stock watering during the irrigation season; 0.509 cubic foot per second for conveyance loss; 0.271 cubic feet per second, 7.65 acre-feet per year consumptive for stock watering from October 16 through March 31

Priority Date: **November 2, 1877**

Point of Diversion: 1) 800 feet south and 100 feet east from the north quarter corner of Section 30, being within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M. (47.20247, -120.62997).  
2) A point within the NE $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19978, -120.63039).  
3) A point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19449, -120.63626).  
Datum: NAD83/WGS84

Place of Use: The SW $\frac{1}{4}$  of Section 17; the W $\frac{1}{2}$  of Section 20; and the NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 29, ALL in T. 19 N., R. 18 E.W.M.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648(AC)sb4-c.

CLAIMANT NAME:

**Pat Burke  
& Mary Burke  
The Ranch on Swauk Creek LLC**

COURT CLAIM NO. 01475

Certificate Number:

S4-83890-J

Subbasin:

04 Swauk Creek

Source:

Swauk Creek

Use:

Irrigation of 78.4 acres and stock water

Period of Use:

April 1 through October 31 for irrigation; continuously for stock water (see instantaneous flow limits)

Quantity:

2.00 cubic feet per second April 1 through October 31; 1.75 cubic feet per second, 588.6 acre-feet per year for irrigation of 78.4 acres and 1 acre-foot per year for stock water; 0.25 cubic foot per second April 1 through October 31 for conveyance loss; 0.25 cubic foot per second November 1 through November 30 and February 1 through March 31, 1.0 cubic foot per second December 1 through January 31, consumptive use of 8.5 acre-feet per year for stock water

Priority Date:

**June 30, 1878**

Point of Diversion:

1000 feet south and 600 feet east of the northwest corner of Section 27, being within the NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 27, T. 20 N., R. 17 E.W.M.

Place of Use:

That portion of the N<sup>1</sup>/<sub>2</sub>SE<sup>1</sup>/<sub>4</sub> and SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 28, T. 20 N., R. 17 E.W.M. lying southeast of Swauk Creek.

Limitations Of Use:

This water right is appurtenant to lands adjacent to 20.0 acres with an October 31, 1889, priority water right. Both tracts are irrigated via a common point of diversion and ditch. The capacity is 2.0 cfs; therefore, the 1878 and 1889 rights of 2.0 cfs each are not exercised simultaneously, but rather in rotation.

CLAIMANT NAME: **New Suncadia, LLC** COURT CLAIM NO. 01685

Certificate Number: S4-83893-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Instream flows

Period of Use: April 1 through October 15

Quantity: 31.88 acre-feet per year for instream flows of which up to 30.21 acre-feet per year for mitigation of consumptive use or other cumulative impacts by New Suncadia, LLC.

Primary Reach - 100.00 acre-feet per year to be distributed as follows:

April - 0.23 cubic foot per second (cfs) and 13.38 acre-feet; May - 0.26 cfs and 15.89 acre-feet; June - 0.27 cfs and 15.80 acre-feet; July - 0.28 cfs and 17.36 acre-feet; August - 0.27 cfs and 16.80 acre-feet; September - 0.25 cfs and 14.70 acre-feet; October - 0.21 cfs and 6.07 acre-feet

Secondary Reach - 31.88 acre-feet per year to be distributed as follows:

April - 0.05 cfs and 3.06 acre-feet; May - 0.09 cfs and 5.23 acre-feet; June - 0.09 cfs and 5.48 acre-feet; July - 0.11 cfs and 6.69 acre-feet; August - 0.10 cfs and 6.13 acre-feet; September - 0.07 cfs and 4.38 acre-feet; October - 0.03 cfs and 0.91 acre-feet

Priority Date: **June 30, 1878**

Point of Diversion: N/A

Place of Use: Within Swauk Creek downstream from the existing point of diversion located at 200 feet south and 1200 feet east from the northwest corner of Section 27, T. 20 N., R. 17 E.W.M., and Yakima River downstream of confluence with Swauk Creek.

Limitations Of Use: The 30.21 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with New Suncadia, LLC and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water



available under this authorization, and to ensure the use of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia, LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia, LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum Urban Growth Area (UGA) Environmental Impact Statement (EIS). This plan shall contain:

- a) Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.

- b) The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.

- c) Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water Monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia, LLC for the quantities of water authorized herein.

New Suncadia, LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water (Qa) available to mitigate for the mainstem claim transfers associated with the New Suncadia, LLC development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the New Suncadia, LLC development will be less 0.835 acre-feet per year per ERU developed on appurtenant property (up to a total of 1.67 acre-feet per year). The annual amount of trust water available for mitigation in the secondary reach will be 30.21 acre-feet per year. Future landowners on property appurtenant to the New Suncadia, LLC claim have two options for use of the 1.67 acre-feet per year described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia, LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

CLAIMANT NAME: **New Suncadia, LLC**

COURT CLAIM NO. 01685

Certificate Number: S4-85211-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Instream flows

Period of Use: April 1 through October 15

Quantity: 15.94 acre-feet per year for instream flows of which up to 15.11 acre-feet per year for mitigation of consumptive use or other cumulative impacts by the Cle Elum Urban Growth Area (UGA) development.

Primary Reach - 50.00 acre-feet per year to be distributed as follows:

April - 0.11 cubic foot per second (cfs) and 6.69 acre-feet; May - 0.13 cfs and 7.95 acre-feet; June - 0.13 cfs and 7.9 acre-feet; July - 0.14 cfs and 8.68 acre-feet; August - 0.13 cfs and 8.40 acre-feet; September - 0.12 cfs and 7.35 acre-feet; October - 0.10 cfs and 3.03 acre-feet

Secondary Reach - 15.94 acre-feet per year to be distributed as follows:

April - 0.03 cfs and 1.53 acre-feet; May - 0.04 cfs and 2.61 acre-feet; June - 0.05 cfs and 2.74 acre-feet; July - 0.05 cfs and 3.35 acre-feet; August - 0.05 cfs and 3.07 acre-feet; September - 0.04 cfs and 2.19 acre-feet; October - 0.02 cfs and 0.45 acre-foot

Priority Date: **June 30, 1878**

Point of Diversion: N/A

Place of Use: Within Swauk Creek downstream from the existing point of diversion located at 200 feet south and 1200 feet east from the northwest corner of Section 27, T. 20 N., R. 17 E.W.M., and Yakima River downstream of confluence with Swauk Creek.

Limitations Of Use: The 15.11 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with the Cle Elum UGA development and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water available under this authorization, and to ensure the use

of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia, LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia, LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum Urban Growth Area (UGA) Environmental Impact Statement (EIS). This plan shall contain:

- a) Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.

- b) The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.

- c) Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water Monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia, LLC for the quantities of water authorized herein.

New Suncadia, LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water (Qa) available to mitigate for the mainstem claim transfers associated with the Cle Elum UGA development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the Cle Elum UGA development will be less 0.415 acre-feet per year per ERU developed on appurtenant property (up to a total of 0.83 acre-feet per year). The annual amount of trust water available for mitigation in the secondary reach will be 15.11 acre-feet per year. Future landowners on property appurtenant to the New Suncadia, LLC claim have two options for use of the 0.83 acre-feet per year described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia, LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

CLAIMANT NAME:	<b>The Ranch on Swauk Creek LLC</b>	COURT CLAIM NO. 01475
Certificate Number:	S4-84343-J	
Subbasin:	04 Swauk Creek	
Source:	Swauk Creek	
Use:	Irrigation of 19.8 acres and stock water	
Period of Use:	April 1 through October 31	
Quantity:	1.5 cubic feet per second, including conveyance loss; 148.5 acre-feet per year for irrigation	
Priority Date:	<b>June 30, 1878</b>	
Point of Diversion:	200 feet south and 1200 feet east from the northwest corner of Section 27, being within the NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> of Section 27, T. 20 N., R. 17 E.W.M.	
Place of Use:	Tax Parcel 20-17-28000-0003, lying within that portion of the SE <sup>1</sup> / <sub>4</sub> of Section 28, T. 20 N., R. 17 E.W.M. lying north of Swauk Creek and south of the Burke-Hartman Ditch.	

CLAIMANT NAME:                   **The Ranch on Swauk Creek LLC**                   COURT CLAIM NO. 01475

Certificate Number:           S4-83887-J

Subbasin:                   04       Swauk Creek

Source:                   Swauk Creek and two wells

Use:                   Irrigation of 18.37 acres

Period of Use:           Irrigation from April 1 through October 31 and continuous community Domestic

Quantity:           1.5 cubic feet per second, including conveyance loss; 148.5 acre-feet per year (34.03 ac-ft domestic, 56.02 ac-ft domestic irrigation, and 58.45 ac-ft agricultural irrigation)

Priority Date:           **June 30, 1878**

Point of Diversion:       Two wells: within the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 28, T. 20 N., R. 17 E.W.M.

                              Swauk Creek: within the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 27, T. 20 N., R. 17 E.W.M.

Place of Use:           The S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 27, Parcels 20-17-27020-0026 and 20-17-27020-0030 in the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 27, the SE $\frac{1}{4}$  of Section 28, the NE $\frac{1}{4}$  of Section 33, the W $\frac{1}{2}$  of Section 34, and Parcels 20-17-27030-0003 and 20-17-27030-0006; all within T. 20 N., R. 17 E.W.M.; and the NW $\frac{1}{4}$  of Section 3 within T. 19 N., R. 17 E.W.M.

Comments:           This water right reflects changes approved pursuant to Water Right Change Application No. CS4-01475CTCL@3 and CS4-01475sb4aa.

CLAIMANT NAME: **New Suncadia, LLC** COURT CLAIM NO. 00648

Certificate Number: S4-84771-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary of Swauk Creek

Use: Instream flows for mitigation of consumptive use or other cumulative impacts by the New Suncadia LLC Resort

Period of Use: April 1 through October 15

Quantity: 152.54 acre-feet per year (ac-ft/yr) for instream flows of which up to 144.23 ac-ft/yr is for mitigation of consumptive water use or other cumulative impacts by the New Suncadia LLC

Primary Reach - 531.77 ac-ft/yr to be distributed as follows:  
1.22 cubic feet per second (cfs), 72.39 acre-feet (ac-ft) in April; 1.37 cfs, 84.28 ac-ft in May; 1.40 cfs, 83.48 ac-ft in June; 1.48 cfs, 91.03 ac-ft in July; 1.44 cfs, 88.44 ac-ft in August; 1.32 cfs, 78.70 ac-ft in September; 1.12 cfs, 33.45 ac-ft in October

Secondary Reach - 152.54 ac-ft/yr to be distributed as follows:  
0.25 cfs, 14.93 ac-ft in April; 0.40 cfs, 24.90 ac-ft in May; 0.44 cfs, 26.02 ac-ft in June; 0.51 cfs, 31.66 ac-ft in July; 0.47 cfs, 29.07 ac-ft in August; 0.36 cfs, 21.24 ac-ft in September; 0.16 cfs, 4.72 ac-ft in October

Priority Date: **June 1, 1881**

Point of Diversion: N/A

Place of Use: Beginning at a point located 800 feet south and 100 feet east from the north quarter corner of Section 30, T. 20 N., R. 18 E.W.M., on First Creek, downstream to the First Creek and Swauk Creek confluence, and downstream to the Swauk Creek and Yakima River confluence.

Limitations Of Use: The 144.23 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with New Suncadia LLC and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water available under this authorization, and to ensure the use of water under this authorization is protective of the

water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum UGA Environmental Impact Statement (EIS). This plan shall contain:

- a. Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.
- b. The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.
- c. Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia LLC for the quantities of water authorized herein.

New Suncadia LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water (Qa) available to mitigate for the mainstem claim transfers associated with the New Suncadia LLC development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the New Suncadia LLC development will be less 0.831 acre-feet per year per Equivalent Residential Unit developed on appurtenant property (up to a total of 8.31 acre-feet per year). Future landowners on property appurtenant to the New Suncadia LLC claim have two options for use of the 8.31 ac-ft/yr described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-YRB04CC00648@1.

CLAIMANT NAME: **New Suncadia, LLC** COURT CLAIM NO. 00648

Certificate Number: S4-85196-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary to Swauk Creek

Use: Instream flows for mitigation of consumptive use or other cumulative impacts by the Cle Elum Urban Growth Area (UGA) development.

Period of Use: April 1 through October 15

Quantity: 78.43 acre-feet per year (ac-ft/yr) for instream flows of which up to 74.28 ac-ft/yr for mitigation of consumptive use or other cumulative impacts.

Primary Reach - 273.43 ac-ft/yr to be distributed as follows:  
0.63 cubic foot per second (cfs), 37.22 acre-feet (ac-ft) in April; 0.70 cfs, 43.33 ac-ft in May; 0.72 cfs, 42.92 ac-ft in June; 0.76 cfs, 46.81 ac-ft in July; 0.74 cfs, 45.48 ac-ft in August; 0.68 cfs, 40.47 ac-ft in September; 0.58 cfs, 17.2 ac-ft in October

Secondary Reach - 78.43 ac-ft/yr to be distributed as follows:  
0.13 cfs, 7.68 ac-ft in April; 0.21 cfs, 12.80 ac-ft in May; 0.22 cfs, 13.38 ac-ft in June; 0.26 cfs, 16.28 ac-ft in July; 0.24 cfs, 14.95 ac-ft in August; 0.18 cfs, 10.92 ac-ft in September; 0.08 cfs, 2.43 ac-ft in October

Priority Date: **June 1, 1881**

Point of Diversion: N/A

Place of Use: Beginning at a point located 800 feet south and 100 feet east from the north quarter corner of Section 30, T. 20 N., R. 18 E.W.M. on First Creek, downstream to the First Creek and Swauk Creek confluence, and downstream to the Swauk Creek and Yakima River confluence.

Limitations Of Use: The 74.28 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with New Suncadia LLC and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water available under this authorization, and to ensure the use of water under this authorization is protective of the



water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum Urban Growth Area (UGA) Environmental Impact Statement (EIS). This plan shall contain:

- a. Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.
- b. The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.
- c. Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia LLC for the quantities of water authorized herein.

New Suncadia LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water available to mitigate for the mainstem claim transfers associated with the UGA development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the UGA development will be less 0.415 acre-feet per year per Equivalent Residential Unit (up to 4.15 acre-feet per year) developed on appurtenant property (up to a total of 74.28 acre-feet per year). Future landowners on property appurtenant to the New Suncadia LLC claim have two options for use of the 4.15 acre-feet per year described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

Comments:

This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (B) CTCL.

CLAIMANT NAME: **J. P. Roan** COURT CLAIM NO. 00648

Certificate Number: S4-83907-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary to Swauk Creek

Use: Irrigation of 5.08 acres and stock watering

Period of Use: April 1 through October 15 for irrigation; continuously for stock watering

Quantity: 0.131 cubic foot per second; 27.94 acre-feet per year for irrigation and stock watering during the irrigation season, 0.071 cubic foot per second for conveyance loss

Priority Date: **June 1, 1881**

Point of Diversion: 1) 800 feet south and 100 feet east of the north quarter corner of Section 30, being within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M. (47.20247, -120.62997).  
2) A point within the NE $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19978, -120.63039).  
3) A point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19449, -120.63626).  
Datum: NAD83/WGS84

Place of Use: The NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$  and that portion of the N $\frac{1}{2}$  of Section 21, which is described as follows: A tract of land bounded by a line beginning at a point on the west boundary line of the NE $\frac{1}{4}$  of said section; 66 feet north of the southwest corner of said quarter section, and running thence east 66 feet; thence north on a line parallel with the west boundary line of said quarter section 1650 feet; thence west 66 feet to the west boundary line of said quarter section; thence north to the north boundary line of said quarter section; thence west to the northwest corner of said section; thence south on the west boundary line of said section to the southwest corner of the NW $\frac{1}{4}$  of said section; thence east on the south boundary line of said NW $\frac{1}{4}$  of said section 990 feet; thence north 66 feet; and thence east on a line parallel with the south boundary line of said quarter section 1650 feet to the point of beginning ALL in T. 19 N., R. 18 E.W.M.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648 (BA) sb4-c.

CLAIMANT NAME: **Jack White, Jr.** COURT CLAIM NO. 00648

Certificate Number: S4-84773-J

Subbasin: 04 Swauk Creek

Source: First Creek, tributary of Swauk Creek

Use: Irrigation of 85.75 acres and stock water

Period of Use: April 1 through October 15 for irrigation and stock water

Quantity: 2.211 cubic feet per second, 471.63 acre-feet per year for irrigation and stock watering during the irrigation season; 1.190 cubic feet per second for conveyance loss

Priority Date: **June 1, 1881**

Point of Diversion: 1) 800 feet south and 100 feet east from the north quarter corner of Section 30, being within Government Lot 1, Section 30, T. 20 N., R. 18 E.W.M. (47.20247, -120.62997).  
2) A point within the NE $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19978, -120.63039).  
3) A point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, T. 20 N., R. 18 E.W.M. (47.19449, -120.63626).  
Datum: NAD83/WGS84

Place of Use: The SW $\frac{1}{4}$  of Section 17; the W $\frac{1}{2}$  of Section 20; and the NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 29, ALL in T. 19 N., R. 18 E.W.M.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-00648(BC)sb4-c.

CLAIMANT NAME:

**Pat Burke  
& Mary Burke  
The Ranch on Swauk Creek LLC**

COURT CLAIM NO. 01475

Certificate Number:

S4-83888-J

Subbasin:

04 Swauk Creek

Source:

Dunford Spring

Use:

Irrigation of 5 acres and stock water

Period of Use:

April 1 through October 31 for irrigation; continuously for stock water

Quantity:

0.067 cubic foot per second, 28.25 acre-feet per year for irrigation; 0.03 cubic foot per second, 8 acre-feet per year for stock water

Priority Date:

**August 31, 1882**

Point of Diversion:

1100 feet south and 1100 feet west from the center of Section 34, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 34, T. 20 N., R. 17 E.W.M.

Place of Use:

The W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 34, T. 20 N., R. 17 E.W.M.

CLAIMANT NAME: **Liberty Townsite**

COURT CLAIM NO. 01738

Certificate Number: S4-83894-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation, mining and fire suppression

Period of Use: April 1 through October 31

Quantity: 1.12 cubic feet per second; 14 acre-feet per year; 4 acre-feet per year for irrigation and 2 acre-feet per year for mining, and 8 acre-feet per year for non-consumptive system flow

Priority Date: **May 1, 1884**

Point of Diversion: 50 feet north and 1300 feet east of the west quarter corner of Section 1, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 1, T. 20 N., R. 17 E.W.M.

Place of Use: Liberty Townsite being a total of 17.362 acres lying within portions of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  and N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 1 and the E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 2, all being within T. 20 N., R. 17 E.W.M.

CLAIMANT NAME:

**Joan Broeckling  
& Chuck Shelton  
Roger Shelton**

COURT CLAIM NO. 00519

Certificate Number:

S4-83914-J

Subbasin:

04 Swauk Creek

Source:

Price Creek

Use:

Irrigation of 20 acres and stock water

Period of Use:

April 1 through October 15

Quantity:

2.0 cubic feet per second; 234 acre-feet per year for  
irrigation and 1 acre-foot per year for stock water

Priority Date:

**May 24, 1884**

Point of Diversion:

500 feet north and 1300 feet west of the east quarter  
corner of Section 31, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of  
Section 31, T. 21 N., R. 18 E.W.M.

Place of Use:

SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 31, T. 21 N., R. 18 E.W.M.

CLAIMANT NAME:

**Pat Burke  
& Mary Burke  
The Ranch on Swauk Creek LLC**

COURT CLAIM NO. 01475

Certificate Number:

S4-83935-J

Subbasin:

04 Swauk Creek

Source:

McCallum Spring

Use:

Irrigation of 5 acres and stock water

Period of Use:

April 1 through October 31 for irrigation; continuously for stock water

Quantity:

0.045 cubic foot per second, 20 acre-feet per year for irrigation and 1 acre-foot per year for stock water during irrigation season; 2 acre-feet per year during non-irrigation season for stock water

Priority Date:

**May 24, 1884**

Point of Diversion:

1200 feet south and 1100 west of the north quarter corner of Section 3, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 3, T. 19 N., R. 17 E.W.M.

Place of Use:

That portion of the NW $\frac{1}{4}$  of Section 3, T. 19 N., R. 17 E.W.M. lying westerly of the state highway.

CLAIMANT NAME:

**Craig N. Dickison  
& Therese B. Dickison  
Mark T. Dickison**

COURT CLAIM NO. 00519

Certificate Number:

S4-83879-J

Subbasin:

04 Swauk Creek

Source:

Williams Creek

Use:

Irrigation of 10 acres and stock water

Period of Use:

April 1 through October 15

Quantity:

1.0 cubic foot per second; 117 acre-feet per year for  
irrigation and 1 acre-foot per year for stock water

Priority Date:

**May 24, 1884**

Point of Diversion:

700 feet south and 1800 feet west of the northeast corner  
of Section 31, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 31,  
T. 21 N., R. 18 E.W.M.

Place of Use:

The N $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 31, T. 21 N., R. 18 E.W.M.



CLAIMANT NAME:

**LCU Inc**

COURT CLAIM NO. 01146

Certificate Number:

S4-83885-J

Subbasin:

04 Swauk Creek

Source:

Swauk Creek

Use:

Irrigation of 13.8 acres

Period of Use:

April 1 through October 15

Quantity:

1.38 cubic feet per second; 103.5 acre-feet per year

Priority Date:

**May 24, 1884**

Point of Diversion:

340 feet south and 1140 feet west of the center of Section 33, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M.

Place of Use:

The W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M. (Kittitas County Tax Parcel Nos. 20-17-33000-0010 and 20-17-33000-0004)

CLAIMANT NAME:	<b>LCU Inc</b>	COURT CLAIM NO. 01146
Certificate Number:	S4-83908-J	
Subbasin:	04 Swauk Creek	
Source:	Swauk Creek	
Use:	Irrigation of 35 acres	
Period of Use:	April 1 through October 15	
Quantity:	1.79 cubic feet per second; 164 acre-feet per year (see "Limitations of Use" below)	
Priority Date:	<b>May 24, 1884</b>	
Point of Diversion:	340 feet south and 1140 feet west of the center of Section 33, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T. 20 N., R. 17 E.W.M.	
Place of Use:	E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 33, T. 20 N., R. 17 E.W.M.	
Limitations Of Use:	23 acres are irrigated via a pump and sprinklers at 4.0 acre-feet per acre; 12 acres are irrigated via flood irrigation at 7.5 acre-feet per acre.	
Comments:	This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-01146CTCL@4.	

CLAIMANT NAME: **Swauk Pines LLC**

COURT CLAIM NO. 01146

Certificate Number: S4-84573-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Irrigation of 1.2 acres

Period of Use: April 1 through October 15

Quantity: 0.12 cubic foot per second, 9.0 acre-feet per year

Priority Date: **May 24, 1884**

Point of Diversion: 340 feet south and 1140 feet west of the center of Section 33, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M.

Place of Use: The W $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M. (Kittitas County Tax Parcel Nos. 20-17-33000-0010 and 20-17-33000-0004)

CLAIMANT NAME: **Swauk Valley Ranch, LLC**

COURT CLAIM NO. 00970

Certificate Number: S4-83913-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Irrigation of 8 acres

Period of Use: April 1 through October 15

Quantity: 0.167 cubic foot per second; 65.6 acre-feet per year

Priority Date: **May 24, 1884**

Point of Diversion: 1000 feet south and 2500 feet west of the northeast corner of Section 17, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 17, T. 19 N., R. 17 E.W.M.

Place of Use: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , ALL in Section 17, T. 19 N., R. 17 E.W.M.

CLAIMANT NAME: **Wallace Ranch Limited Partnership** COURT CLAIM NO. 02267

Certificate Number: S4-83900-J

Subbasin: 04 Swauk Creek

Source: Unnamed spring-fed stream (locally known as Hart Creek)

Use: Irrigation of 10 acres

Period of Use: June 1 through September 30

Quantity: 0.16 cubic foot per second; 39 acre-feet per year

Priority Date: **May 24, 1884**

Point of Diversion: 1550 north and 1350 feet west of the southeast corner of Section 11, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 11, T. 19 N., R. 16 E.W.M.

Place of Use: S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 11, T. 19 N., R. 16 E.W.M. northeast of the highway.

CLAIMANT NAME: **Wallace Ranch Limited Partnership** COURT CLAIM NO. 02267

Certificate Number: S4-83897-J

Subbasin: 04 Swauk Creek

Source: Yakima River

Use: Irrigation of 92.2 acres

Period of Use: April 15 through October 1

Quantity: 3.35 cubic feet per second; 673.06 acre-feet per year

Priority Date: **May 24, 1884**

Point of Diversion: 1000 feet north and 600 feet east of the southwest corner of Section 2, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2, T. 19 N., R. 16 E.W.M.

Place of Use: E $\frac{1}{2}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 11, T. 19 N., R. 16 E.W.M.

Limitations Of Use: The instantaneous quantity under both the 1884 and 1894 rights to Yakima River water is limited to no more than 3.35 cfs.

CLAIMANT NAME: **Wallace Ranch Limited Partnership** COURT CLAIM NO. 02267

Certificate Number: S4-83899-J

Subbasin: 04 Swauk Creek

Source: Unnamed spring

Use: Irrigation of 3.5 acres

Period of Use: April 1 through October 31

Quantity: 0.0167 cubic foot per second; 6.6 acre-feet per year

Priority Date: **May 24, 1884**

Point of Diversion: 1550 feet north and 1350 feet west from the southeast corner of Section 11, being within the SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 11, T. 19 N., R. 16 E.W.M.

Place of Use: SE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 11, T. 19 N., R. 16 E.W.M.

CLAIMANT NAME: **Frederick L. Knoll  
& Dixie S. Knoll** COURT CLAIM NO. 12110

Certificate Number: S4-83932-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 2 acres and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.20 cubic foot per second; 20 acre-feet per year for irrigation, 1 acre-foot consumptively for stock water May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively for stock water from November 1 through April 30 (see "Limitations of Use" provision below for stock water and conveyance loss for irrigation)

Priority Date: **May 17, 1886**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: Beginning, for description Louis Queitsch placer claim, at corner No. 1, identical with Corner No. 2 of Big Nugget from whence said south quarter section bears S 35°04'20" W 1036.49 feet; thence north 1150.13 feet to corner No. 2; thence west 670 feet to corner No. 3; thence south 1150.13 feet to corner No. 4; thence east 670 feet to corner No. 1, point of beginning. EXCEPT: That portion of said Louis Queitsch placer mining claim location described as follows: Beginning at corner No. 4 of said location; thence north along the west boundary line of said location 1150.13 feet to corner No. 3; thence east along the north boundary line of said location 316.6 feet; thence southwesterly along a straight line to the point of beginning; EXCEPT that portion of the previous described Louis Queitsch placer mine lying northerly and easterly of U.S. Forest Service Road 2101-E and the existing roadway known as Snowshoe Road.

Limitations Of Use: POD "A": During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above.

This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.



CLAIMANT NAME: **Frederick L. Knoll  
& Dixie S. Knoll**

COURT CLAIM NO. 12110

Certificate Number: S4-83923-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 1 acre and incidental stock water

Period of Use: May 1 through October 31

Quantity: 0.10 cubic foot per second; 10 acre-feet per year for irrigation, 0.30 cubic foot per second for conveyance loss during irrigation cycles

Priority Date: **May 17, 1886**

Point of Diversion: POD "A(1)": 1560 feet north and 70 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of the Louis Queitsch placer mining claim lying east of Williams Creek and west of the Old Williams Creek Road (Farm to Market Road), being a portion of Section 36, T. 21 N., R. 17 E.W.M. EXCEPT: That portion of said Louis Queitsch placer mining claim described as follows: Beginning at corner No. 4 of said location; thence along the west boundary line 1150.13 feet to corner No. 3; thence east along the north boundary line 316.6 feet; thence southwesterly along a straight line to the point of beginning.

CLAIMANT NAME: **Timothy M. Knoll**

COURT CLAIM NO. 00163

Certificate Number: S4-83931-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Stock water

Period of Use: Continuously

Quantity: 2.2 cubic feet per second; 1 acre-foot per year  
(consumptive use)

Priority Date: **May 17, 1886**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of the Louis Queitsch Placer Mining claim location described as follows: beginning at corner No. 4 of said location; thence north along the west boundary line of said location 1150.13 feet to corner No. 3; thence east along the north boundary line of said location 316.6 feet; thence southwesterly along a straight line to the point of beginning being a portion of Section 36, T. 21 N., R. 17 E.W.M.

Limitations Of Use: This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

CLAIMANT NAME: **Timothy M. Knoll** COURT CLAIM NO. 00163

Certificate Number: S4-83876-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 1 acre and stock water

Period of Use: May 1 through October 31

Quantity: 0.40 cubic foot per second, 0.10 cubic foot per second;  
10 acre-feet per year for irrigation and consumptive stock  
water and 0.30 cubic foot per second for non-consumptive  
conveyance loss

Priority Date: **May 17, 1886**

Point of Diversion: PODs "A(2)" and "A(3)": 2180 feet north and 250 feet east  
of the south quarter corner of Section 36, being within the  
NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of the Louis Queitsch Placer Mining claim  
location described as follows: beginning at corner No. 4  
of said location; thence north along the west boundary line  
of said location 1150.13 feet to corner No. 3; thence east  
along the north boundary line of said location 316.6 feet;  
thence southwesterly along a straight line to the point of  
beginning being a portion of Section 36, T. 21 N.,  
R. 17 E.W.M.

Limitations Of Use: This water right does not authorize continuous flow during  
the irrigation season.

CLAIMANT NAME: **Del L. Holter** COURT CLAIM NO. 01471

Certificate Number: S4-83911-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Mining and Domestic Supply (Irrigation of gardens)

Period of Use: March 15 through November 15

Quantity: 0.03 cubic foot per second; 6 acre-feet per year for mining and 1 acre-foot per year for domestic garden irrigation of one-half acre or less

Priority Date: **May 29, 1886**

Point of Diversion: 1730 feet north and 1660 feet west of the southeast corner of Section 2, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 2, T. 20 N., R. 17 E.W.M.

Place of Use: All of that portion of Blackjack Placer Mine, designated as Survey No. 1203, located in Section 2, T. 20 N., R. 17 E.W.M. which is described as follows: Commencing at corner No. 1, from which the south quarter corner of said section bears S 46°29' E 421.22 feet distant, and running thence N 16°25' W 599.5 feet to corner No. 2; thence N 63°25' E 727.3 feet; thence southerly to a point in the southerly boundary line which is 702 feet northeasterly from corner No. 1, measured along said south boundary line; and thence S 62°15' W, along said south boundary line, 702 feet to the point of beginning. EXCEPT: 1) Easement for right of way for logging railway over a strip 75 feet in width, conveyed to Cascade Lumber Company by 57 of Deeds, Page 11; and 2) Easement for county road as conveyed by 58 of Deeds, Page 384.

CLAIMANT NAME: **Lavinal Corporation**

COURT CLAIM NO. 06626

Certificate Number: S4-83902-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Mining

Period of Use: March 1 through November 30

Quantity: 0.10 cubic foot per second (continuous non-consumptive)

Priority Date: **June 6, 1886**

Point of Diversion: 1,100 feet west and 980 feet north from the southeast corner of Section 3, being within the S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T. 20 N., R. 17 E.W.M.

Place of Use: The S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T. 20 N., R. 17 E.W.M.

Limitations Of Use: All Conditions and requirements contained in Reports of Examination and related orders previously issued apply to this certificate unless specifically noted below.

Comments: This water right reflects changes approved pursuant to Water Right Change Application No. CS4-06626CTCL.

CLAIMANT NAME: **Selma M. Burzenski**

COURT CLAIM NO. 05721

Certificate Number: S4-83927-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 24.5 acres

Period of Use: April 1 through October 31.

Quantity: 0.813 cubic foot per second; 286.7 acre-feet per year

Priority Date: **June 30, 1886**

Point of Diversion: POD 1: 2145 feet east of the west quarter corner of Section 31, being within the  $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$  or  $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$  of Section 31.

POD 2: 1980 feet east and 60 feet north of the west quarter corner of Section 31, being within the  $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$  of Section 31.

POD 3: 1254 feet east and 100 feet south of the west quarter corner of Section 31, being within the  $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$  of Section 31.

POD 4: 990 feet east and 225 feet south of the west quarter corner of Section 31, being within the  $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$  of Section 31.

ALL being within T. 21 N., R. 18 E.W.M.

Place of Use: Parcels C and D of that certain survey as recorded September 11, 1991, in Book 18 of Surveys at Page(s) 52-53 under Auditor's File No. 542839, records of Kittitas County, Washington; being a portion of Homestead Entry Survey No. 161, dated January 19, 1927; located in the  $W\frac{1}{2}$  of Section 31, T. 21 N., R. 18 E.W.M.

CLAIMANT NAME: **Mark Dickison** COURT CLAIM NO. 05721

Certificate Number: S4-83928-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 11.59 acres (11.64 combined deeded acres)

Period of Use: April 1 through October 31

Quantity: 0.313 cubic foot per second, 133.85 are-feet per year

Priority Date: **June 30, 1886**

Point of Diversion: 100 feet south and 1254 feet east of the west quarter corner of Section 31, being within the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31, T. 21 N., R. 18 E.W.M.

Place of Use: Parcel A of that certain survey as recorded September 11, 1991, in Book 18 of Surveys at Pages(s) 52-53, under Auditor's File No. 542839, Records of Kittitas County, Washington; being a portion of Homestead Entry Survey No. 161, dated January 19, 1927, located in the E $\frac{1}{2}$  of Section 36, T. 21 N., R. 17 E.W.M. and in the W $\frac{1}{2}$  of Section 31, T. 21 N., R. 18 E.W.M., Kittitas County, Washington.

CLAIMANT NAME:

**Steve Dresang  
& Charlene Robins  
Enrique Leon  
& Kristen Leon**

COURT CLAIM NO. 05721

Certificate Number: S4-85117-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 3.41 acres (3.45 deeded acres)

Period of Use: April 1 through October 31

Quantity: .093 cubic foot per second, 39.95 acre-feet per year

Priority Date: **June 30, 1886**

Point of Diversion: 100 feet south and 1254 feet east of the west quarter corner of Section 31, being within the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 31, T. 21 N., R. 18 E.W.M.

Place of Use: Parcel B-2 of the Plat Flag Mountain; a portion of Homestead Entry Survey No. 161 located in Section 36, T. 21 N., R. 17 E.W.M., Kittitas County, Washington.



CLAIMANT NAME:

**Jon Fitterer  
& Susan Fitterer  
Janis G. Newbury  
& Paul R. Newbury  
Gary D. Parker  
Dale A. Dahl  
& Donna K. Oster-Dahl**

COURT CLAIM NO. 05721

Certificate Number: S4-83929-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 17.49 acres

Period of Use: April 1 through October 31

Quantity: 0.406 cubic foot per second; 173.8 acre-feet per year

Priority Date: **June 30, 1886**

Point of Diversion: POD 1: 2145 feet east of the west quarter corner of Section 31, being within the  $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$  or the  $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$  of Section 31.

POD 2: 1980 feet east and 60 feet north of the west quarter corner of Section 31, being within the  $W\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$  of Section 31.

POD 3: 1254 feet east and 100 feet south of the west quarter corner of Section 31, being within the  $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$  of Section 31.

POD 4: 990 feet east and 225 feet south of the west quarter corner of Section 31, being within the  $N\frac{1}{2}NW\frac{1}{4}SW\frac{1}{4}$  of Section 31.

ALL being within T. 21 N., R. 18 E.W.M.

Place of Use: Parcels B-1, B-3 and B-4 of the Plat Flag Mountain; a portion of Homestead Entry Survey No. 161 located in Section 36, T. 21 N., R. 18 E.W.M. and Section 31, T. 21 N., R. 18 E.W.M. and a parcel of land, containing 2 acres, more or less, located in Section 31, T. 21 N. R. 18 E.W.M. and more specifically described as follows: Beginning at a point which bears S 69°40' E 733 feet from the quarter section corner on the west side of Section 31, T. 21 N., R. 18 E.W.M., running thence S 54°40' W 135.6 feet; thence S 35°20' E 200 feet; thence N 54°40' E 435.6 feet; thence N 35°20' W 183 feet; thence S 76°5' W 46 feet, alongside a public road; running thence S 54°40' W 257 feet to the point of beginning;

Also, a tract of land described as follows: A strip of land 20 feet in width, being 10 feet on each side of the

middle line of the water ditch hereinafter mentioned, beginning on the westerly line of the tract above described, about 40 feet northerly from the southwesterly corner of said tract and south of the channel of Williams Creek, where said creek crosses the westerly line of said tract; and running thence in a southerly direction, a distance of 30 rods, more or less, and to the southerly side of said premises now owned by Grantor in Lot 3 of said Section; said strip of land following the course of a water ditch constructed during 1928 by Grantee through said premises.

CLAIMANT NAME: **New Suncadia, LLC**

COURT CLAIM NO. 01685

Certificate Number: S4-83916-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Instream flows

Period of Use: April 1 through October 15

Quantity: 119.54 acre-feet per year for instream flows of which up to 112.88 acre-feet per year for mitigation of consumptive use or other cumulative impacts by New Suncadia, LLC.

Primary Reach - 375.00 acre-feet per year to be distributed as follows:

April - 0.84 cubic foot per second (cfs) and 50.18 acre-feet; May - 0.97 cfs and 59.60 acre-feet; June - 0.99 cfs and 59.26 acre-feet; July - 1.06 cfs and 65.09 acre-feet; August - 1.02 cfs and 62.99 acre-feet; September - 0.93 cfs and 55.13 acre-feet; October - 0.76 cfs and 22.75 acre-feet

Secondary Reach - 119.54 acre-feet per year to be distributed as follows:

April - 0.19 cfs and 11.47 acre-feet; May - 0.32 cfs and 19.60 acre-feet; June - 0.34 cfs and 20.56 acre-feet; July - 0.41 cfs and 25.09 acre-feet; August - 0.37 cfs and 23.00 acre-feet; September - 0.28 cfs and 16.42 acre-feet; October - 0.11 cfs and 3.40 acre-feet

Priority Date: **September 20, 1889**

Point of Diversion: N/A

Place of Use: Within Swauk Creek downstream from the existing point of diversion located at 200 feet south and 1200 feet east from the northwest corner of Section 27, T. 20 N., R. 17 E.W.M., and Yakima River downstream of confluence with Swauk Creek.

Limitations Of Use: The 112.88 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with New Suncadia, LLC and other cumulative impacts of the project.

An ongoing Water Monitoring and Management Program shall be established to identify and manage the amount of water available under this authorization, and to ensure the use of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary streams.

New Suncadia, LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water right transferred by New Suncadia, LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum Urban Growth Area (UGA) Environmental Impact Statement (EIS). This plan shall contain:

- a) Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.
- b) The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.
- c) Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water Monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia, LLC for the quantities of water authorized herein.

New Suncadia, LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water (Qa) available to mitigate for the mainstem claim transfers associated with the New Suncadia, LLC development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the New Suncadia, LLC development will be less 0.833 acre-feet per year per ERU development on appurtenant property (up to a total of 6.66 acre-feet per year). The annual amount of trust water available for mitigation in the secondary reach will be 112.88 acre-feet per year. Future landowners on property appurtenant to the New Suncadia, LLC claim have two options for use of the 6.66 acre-feet per year described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia, LLC and Ecology; or 2) apply for a water right

change from a trust water right to beneficial use on the appurtenant property.

CLAIMANT NAME: **New Suncadia, LLC**

COURT CLAIM NO. 01685

Certificate Number: S4-85210-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Instream flows

Period of Use: April 1 through October 15

Quantity: 59.78 acre-feet per year for instream flows of which up to 56.45 acre-feet per year for mitigation of consumptive use or other cumulative impacts by the Cle Elum Urban Growth Area.

Primary Reach - 187.50 acre-feet per year to be distributed as follows:

April - 0.42 cubic foot per second (cfs) and 25.09 acre-feet; May - 0.49 cfs and 29.80 acre-feet; June - 0.50 cfs and 29.63 acre-feet; July - 0.53 cfs and 32.54 acre-feet; August - 0.51 cfs and 31.50 acre-feet; September - 0.46 cfs and 27.56 acre-feet; October - 0.38 cfs and 11.38 acre-feet

Secondary Reach - 59.78 acre-feet per year to be distributed as follows:

April - 0.10 cfs and 5.74 acre-feet; May - 0.16 cfs and 9.80 acre-feet; June - 0.17 cfs and 10.28 acre-feet; July - 0.20 cfs and 12.55 acre-feet; August - 0.19 cfs and 11.50 acre-feet; September - 0.14 cfs and 8.21 acre-feet; October - 0.06 cfs and 1.70 acre-feet

Priority Date: **September 20, 1889**

Point of Diversion: N/A

Place of Use: Within Swauk Creek downstream from the existing point of diversion located at 200 feet south and 1200 feet east from the northwest corner of Section 27, T. 20 N., R. 17 E.W.M., and Yakima River downstream of confluence with Swauk Creek.

Limitations Of Use: The 56.45 acre-feet per year of water for mitigation associated with this authorization will only be available when water for this right is available at the old point of diversion. This annual quantity of trust water available in the secondary reach may be used to mitigate increased consumptive use associated with the Cle Elum UGA development and other cumulative impacts of the project.

An ongoing water monitoring and management program shall be established to identify and manage the amount of water

available under this authorization, and to ensure the use of water under this authorization is protective of the water rights of other water users on the mainstem of the Yakima River and its tributary system.

New Suncadia, LLC shall submit a Water Monitoring and Management Plan or an amendment thereto for Ecology's approval that describes the monitoring and management program and more specifically how water will be managed at the project when water rights transferred by New Suncadia, LLC to instream flows are unavailable for mitigation of impacts caused by water rights transfers, as described in the Cle Elum UGA Environmental Impact Statement (EIS). This plan shall contain:

- a) Specific aspects of the hydraulic monitoring plan including gauge location, type, monitoring frequency and methodology for determining availability for mitigation.
- b) The methodology for managing seasonal consumptive use at the project that is consistent with the Cle Elum UGA EIS.
- c) Reporting requirements for submitting annual water quantities available for mitigation by the tributary water rights as a result of stream flow availability.

The Water Monitoring and Management Plan identified herein shall be submitted and approved by Ecology prior to any consumptive use mitigation being made available to New Suncadia, LLC for the quantities of water authorized herein.

New Suncadia, LLC shall enter into a Trust Water Agreement with Ecology to convey its rights under this authorization to the State and to identify reasonable conditions.

The annual amount of trust water available to mitigate for the mainstem claim transfers associated with the Cle Elum UGA development does not include assumed future water use on property appurtenant to the claim referenced in this application. The annual amount of trust water available for mitigation of the Cle Elum UGA development will be less 0.416 acre-feet per year per Equivalent Residential Unit developed on appurtenant property (up to a total of 3.33 acre-feet per year). The annual amount of trust water available for mitigation in the secondary reach will be 56.45. Future landowners on property appurtenant to the New Suncadia, LLC claim have two options for use of the 3.33 acre-feet per year described above: 1) leave water in trust as mitigation for exempt domestic use in accordance with the Trust Water Agreement between New Suncadia, LLC and Ecology; or 2) apply for a water right change from a trust water right to beneficial use on the appurtenant property.

CLAIMANT NAME:

**Pat Burke  
& Mary Burke  
The Ranch on Swauk Creek LLC**

COURT CLAIM NO. 01475

Certificate Number:

S4-83930-J

Subbasin:

04 Swauk Creek

Source:

Swauk Creek

Use:

Irrigation of 20 acres

Period of Use:

April 1 through October 31

Quantity:

2.00 cubic feet per second April 1 through October 31;  
1.75 cubic feet per second, 150 acre-feet per year for  
irrigation of 20 acres and 0.25 cubic foot per second for  
conveyance loss

Priority Date:

**October 31, 1889**

Point of Diversion:

Being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 22, T. 20 N.,  
R. 17 E.W.M. (See "Limitations of Use" below. This water  
right is exercised via the point of diversion located in  
the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 27, T. 20 N., R. 17 E.W.M.)

Place of Use:

That portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 28 and the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$   
of Section 33, T. 20 N., R. 17 E.W.M. lying westerly of the  
May-Burke Ditch.

Limitations Of Use:

This water right is appurtenant to lands adjacent to  
78.4 acres with a June 30, 1878, priority water right.  
Both tracts are irrigated via a common point of diversion  
and ditch. The capacity is 2.0 cfs; therefore, the 1878  
and 1889 rights of 2.0 cfs each are not exercised  
simultaneously, but rather in rotation.



CLAIMANT NAME:

**Douglas F. Sanders  
& Marcia H. Sanders  
Daniel G. Sanders**

COURT CLAIM NO. 02057

Certificate Number:

S4-83909-J

Subbasin:

04 Swauk Creek

Source:

An unnamed spring-fed stream

Use:

Domestic supply and mining

Period of Use:

April 15 through October 15

Quantity:

0.005 cubic foot per second; 0.5 acre-foot per year for domestic and 0.02 cubic foot per second; 1.0 acre-foot per year for mining

Priority Date:

**April 30, 1890**

Point of Diversion:

POD 1: 150 feet south and 1550 feet west of the northeast corner of Section 24, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 24, T. 21 N., R. 17 E.W.M.

POD 2: 200 feet south and 1625 feet west of the northeast corner of Section 24, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 24, T. 21 N., R. 17 E.W.M.

Place of Use:

The Southern Star Mining claim lying within portions of the SE $\frac{1}{4}$  of Section 13 and the NE $\frac{1}{4}$  of Section 24, both in T. 21 N., R. 17 E.W.M.

CLAIMANT NAME: **Richard H. Anderson  
& Judy Anderson**

COURT CLAIM NO. 12140

Certificate Number: S4-83921-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 2 acres and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: POD "A": 0.10 cubic foot per second; 10 acre-feet per year for irrigation, 1 acre-foot consumptively for stock water from May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use POD A" provision below for stock water and conveyance loss for irrigation)

POD "B": 0.10 cubic foot per second; 10 acre-feet per year for irrigation, 1 acre-foot consumptively for stock water from May 1 through October 31 and 0.50 cubic foot per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use POD B" provision below for stock water)

Priority Date: **July 3, 1891**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

POD "B": 110 feet north and 450 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: Lot 1 of the Cromarty Short Plat, as described and delineated on Short Plat No. 77-05 recorded September 8, 1977, under Auditor's File No. 416218 and filed in Volume "A" of Short Plats, Page 18, Records of Kittitas County, being a portion of Section 36, T. 21 N., R. 17 E.W.M. and Section 1, T. 20 N., R. 17 E.W.M.

Limitations Of Use: POD "A": During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above.

This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot

consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

POD "B": This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and 1 acre-foot consumptively for the period May 1 through October 31.

CLAIMANT NAME:

**Norman Nedell  
& Lieth Nedell**

COURT CLAIM NO. 12104

Certificate Number: S4-83925-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 1 acre and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.10 cubic foot per second; 10 acre-feet per year for irrigation, 1 acre-foot consumptively for stock water from May 1 through October 31 and 0.50 cubic foot per second; 1 acre-foot consumptively for stock water from November 1 through April 30 (see "Limitations of Use" provision below for stock water)

Priority Date: **July 3, 1891**

Point of Diversion: 110 feet north and 450 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of the following described real property lying north of Williams Creek:

That portion of the following described parcel lying within Fourth of July mining claim: Portions of Jumbo and Fourth of July mining claims located in Section 1, T. 20 N., R. 17 E.W.M. which are bounded by a line described as follows: Beginning at the south quarter corner of Section 36, thence S 16°44'41" W 1434.09 feet; thence S 00°23'20" E 319.89 feet to the true point of beginning; thence N 53°49'00" W 897.62 feet to the southeast right of way of Forest Service right of way dated April 9, 1968, for Williams Creek Road #2102, thence S 36°11'00" W along the southeast right of way of Forest Service Road 10 feet; thence on a curve to the right along the right of way a radius of 330 feet an arc distance of 94.59 feet; thence S 00°34'10" E 140.34 feet; thence S 89°35'11" W 127.90 feet; thence S 00°44'08" E 247.07 feet; thence N 89°18'38" E 218.06 feet; thence S 00°34'34" E 401.34 feet; thence S 89°38'48" W 217.34 feet; thence S 00°14'22" E 199.83 feet; thence N 89°30'36" E 917.70 feet; thence N 00°23'20" W 525.84 feet to the true point of beginning.

Limitations Of Use: This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and

1 acre-foot consumptively for the period May 1 through  
October 31.

CLAIMANT NAME: **Swauk Valley Ranch, LLC**

COURT CLAIM NO. 00970

Certificate Number: S4-83882-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Irrigation of 8 acres

Period of Use: April 1 through October 15

Quantity: 0.167 cubic foot per second; 65.6 acre-feet per year

Priority Date: **September 21, 1892**

Point of Diversion: 600 feet south and 2000 feet west of the northeast corner of Section 17, being within the NW<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> of Section 17, T. 19 N., R. 17 E.W.M.

Place of Use: NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 20, T. 19 N., R. 17 E.W.M.

CLAIMANT NAME: **Mark K. Jones**  
**& Michele M. Jones** COURT CLAIM NO. 12143

Certificate Number: S4-83922-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of one-half acre and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.05 cubic foot per second; 5 acre-feet per year for irrigation of one-half acre, 1 acre-foot consumptively for stock water May 1 through October 31 and 0.50 cubic foot per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use" provision below for stock water)

Priority Date: **July 3, 1893**

Point of Diversion: POD "B": 110 feet north and 450 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of Section 1, T. 20 N., R. 17 E.W.M. in the County of Kittitas, State of Washington, which is a portion of "JUMBO" PLACER CLAIM and which is bounded by a line described as follows: Beginning at Corner No. 1 of "JUMBO" PLACER CLAIM, from whence the standard south quarter of Section 36, T. 21 N., R. 17 E.W.M. bears N 16°44'41" E 1438.45 feet distant; thence south 846.51 feet to Corner No. 2; thence west 920 feet to Corner No. 3; thence north 846.51 feet to Corner No. 4; thence south along west line of said "JUMBO" PLACER CLAIM 243.51 feet to point of beginning; thence south 400 feet; thence east 218 feet; thence north 400 feet; thence west 218 feet to point of beginning.

Limitations Of Use: This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and 1 acre-foot consumptively for the period May 1 through October 31.

CLAIMANT NAME: **Larry A. Smith  
& Anna L. Smith**

COURT CLAIM NO. 12104

Certificate Number: S4-83918-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 3 acres and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: POD "A": 0.10 cubic foot per second; 10 acre-feet for irrigation of 1 acre, 1 acre-foot consumptively for stock water May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use POD A" provision below for stock water and conveyance loss for irrigation)

POD "B": 0.20 cubic foot per second; 20 acre-feet for irrigation of 2 acres, 1 acre-foot consumptively for stock water May 1 through October 31 and 0.50 cubic foot per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use POD B" provision below for stock water)

Priority Date: **July 3, 1893**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

POD "B": 110 feet north and 450 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of the following described real property lying south of Williams Creek:

That portion of the following described parcel lying within Jumbo mining claim: Portions of Jumbo and Fourth of July mining claims located in Section 1, T. 20 N., R. 17 E.W.M. which are bounded by a line described as follows: Beginning at the south quarter corner of Section 36, thence S 16°44'41" W 1434.09 feet; thence S 00°23'20" E 319.89 feet to the true point of beginning; thence N 53°49'00" W 897.62 feet to the southeast right of way of Forest Service right of way dated April 9, 1968, for Williams Creek Road #2102, thence S 36°11'00" W along the southeast right of way of Forest Service Road 10 feet; thence on a curve to the right along the right of way a radius of 330 feet an arc distance of 94.59 feet; thence S 00°34'10" E 140.34 feet; thence S 89°35'11" W



127.90 feet; thence S 00°44'08" E 247.07 feet; thence N 89°18'38" E 218.06 feet; thence S 00°34'34" E 401.34 feet; thence S 89°38'48" W 217.34 feet; thence S 00°14'22" E 199.83 feet; thence N 89°30'36" E 917.70 feet; thence N 00°23'20" W 525.84 feet to the true point of beginning.

Limitations Of Use:

POD "A": During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above.

This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

POD "B": This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and 1 acre-foot consumptively for the period May 1 through October 31.

CLAIMANT NAME:

**James Hooper  
& Cathy Hooper**

COURT CLAIM NO. 00919

Certificate Number:

S4-83881-J

Subbasin:

04 Swauk Creek

Source:

Two unnamed springs

Use:

Domestic supply, stock water and irrigation of 2 acres

Period of Use:

Continuously for domestic supply and stock water; April 15 through October 15 for irrigation

Quantity:

0.01 cubic foot per second; 1 acre-foot per year for domestic supply and stock water; 0.03 cubic foot per second; 8 acre-feet per year for irrigation

Priority Date:

**June 30, 1894**

Point of Diversion:

1200 feet south and 700 feet east from the north quarter corner of Section 11, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 11, T. 19 N., R. 16 E.W.M.

Place of Use:

That portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11, T. 19 N., R. 16 E.W.M. lying easterly of State Highway No. 10.

CLAIMANT NAME: **Wallace Ranch Limited Partnership** COURT CLAIM NO. 02267

Certificate Number: S4-83912-J

Subbasin: 04 Swauk Creek

Source: Yakima River

Use: Irrigation of 38.2 acres

Period of Use: April 15 through October 1

Quantity: 3.35 cubic feet per second; 279.6 acre-feet per year

Priority Date: **September 24, 1894**

Point of Diversion: 200 feet south and 200 feet east of the north quarter corner of Section 14, being within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, T. 19 N., R. 16 E.W.M.

Place of Use: That portion of the NE $\frac{1}{4}$  of Section 14, T. 19 N., R. 16 E.W.M. lying between the railroad and the Yakima River.

Limitations Of Use: The instantaneous quantity under both the 1884 and 1894 rights to Yakima River water is limited to no more than 3.35 cubic feet per second.

CLAIMANT NAME: **Wallace Ranch Limited Partnership** COURT CLAIM NO. 02267

Certificate Number: S4-83898-J

Subbasin: 04 Swauk Creek

Source: Unnamed spring

Use: Single, in-house domestic supply

Period of Use: Continuously

Quantity: 0.01 cubic foot per second; 1 acre-foot per year

Priority Date: **September 25, 1894**

Point of Diversion: 300 feet south and 600 feet west from the northeast corner of Section 14, being within the N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, T. 19 N., R. 16 E.W.M.

Place of Use: SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 14, T. 19 N., R. 16 E.W.M.

CLAIMANT NAME: **Bernard Paul Knoll**

COURT CLAIM NO. 12061

Certificate Number: S4-83936-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Stock water

Period of Use: Continuously

Quantity: 0.01 cubic foot per second, 1 acre-foot per year

Priority Date: **December 1, 1894**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of Lot 4 of Joe Cromarty Short Plat 77-05 consisting of 1 acre in the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M. lying east of Williams Creek.

CLAIMANT NAME: **Frederick L. Knoll  
& Dixie S. Knoll**

COURT CLAIM NO. 12110

Certificate Number: S4-83924-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 4 acres and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.40 cubic foot per second; 40 acre-feet per year for irrigation, 1 acre-foot consumptively for stock water May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively from November 1 through April 30 for stock water (see "Limitations of Use" provision below for stock water and conveyance loss for irrigation)

Priority Date: **December 1, 1894**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of Big Nugget and Gold Bar placer mining claim locations lying easterly of an existing roadway known as the Old Williams Creek Road and northerly of an existing road more fully described as follows: Beginning at the intersection of the centerline of an existing road and the east property boundary line of Gold Bar Placer claim, said point being S 61°49'48" E 304.59 feet from the south one quarter corner of Section 36, T. 21 N., R. 17 E.W.M.; thence N 58°21'25" W 115.27 feet; thence N 78°02'17" W 153.65 feet; thence N 16°03'16" W 100.98 feet; thence N 04°23'14" W 132.49 feet; thence N 25°38'56" W 91.50 feet; thence N 71°19'49" W 70.42 feet; to a point which point is the intersection of the centerline of the previously described road with the centerline of the Old Williams Creek Road. Less that portion of the preceding parcel lying within Gold Bar placer mining claim.

Limitations Of Use: During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above.

This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

CLAIMANT NAME:

**Boise Cascade Corporation**  
**U.S. Timberlands, LLC**

COURT CLAIM NO. 02206

(A) 03119

(A) 05238

Certificate Number: S4-83896-J

Subbasin: 04 Swauk Creek

Source: First Creek

Use: Timber management (road watering)

Period of Use: May 1 through December 1

Quantity: 0.58 cubic foot per second; 1.84 acre-feet per year

Priority Date: **September 30, 1896**

Point of Diversion: Various points of diversion for pump chances between the east and west boundaries of Section 23, being within the S½ of Section 23, T. 20 N., R. 17 E.W.M.

Place of Use: The S½ of Section 23, T. 20 N., R. 17 E.W.M.

CLAIMANT NAME: **Richard H. Anderson  
& Judy Anderson** COURT CLAIM NO. 12140

Certificate Number: S4-83926-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 1 acre and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.10 cubic foot per second; 10 acre-feet per year for irrigation of 1 acre, 1 acre-foot consumptively for stock water from May 1 through October 31 and 0.50 cubic foot per second; 1 acre-foot consumptively from November 1 through April 30 for stock water (see "Limitations of Use" provision below for stock water)

Priority Date: **January 1, 1898**

Point of Diversion: POD "B": 110 feet north and 450 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of the following described parcel lying northeast of Williams Creek: Lot 1 of the Cromarty Short Plat, as described and delineated on Short Plat No. 77-05 recorded September 8, 1977, under Auditor's File No. 416218 and filed in Volume "A" of Short Plats, Page 18, Records of Kittitas County, being a portion of Section 36, T. 21 N., R. 17 E.W.M. and Section 1, T. 20 N., R. 17 E.W.M.

Limitations Of Use: This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and 1 acre-foot consumptively for the period May 1 through October 31.



CLAIMANT NAME: **Bernard Paul Knoll**

COURT CLAIM NO. 12061

Certificate Number: S4-83917-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 1 acre and stock water

Period of Use: May 1 through September 30 for irrigation and continuously for stock water

Quantity: 0.10 cubic foot per second; 10 acre-feet per year for irrigation, 0.01 cubic foot per second; 1 acre-foot consumptively for stock water May 1 through September 31 and 0.50 cubic foot per second; 1 acre-foot consumptively October 1 through April 30 (see "Limitations of Use" provision below for stock water)

Priority Date: **January 1, 1898**

Point of Diversion: 110 feet north and 405 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of Lot 4 Cromarty Short Plat 77-05 lying westerly of Williams Creek and easterly of the ditch served by point of diversion "B" (see above) being a portion of Section 1, T. 20 N., R. 17 E.W.M.

Limitations Of Use: This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and 1 acre-foot consumptively for the period May 1 through October 31.

CLAIMANT NAME: **Frederick L. Knoll  
& Dixie S. Knoll** COURT CLAIM NO. 12110

Certificate Number: S4-83933-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 1 acre and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.10 cubic foot per second; 10 acre-feet per year for irrigation, 1 acre-foot consumptively for stock water and 0.80 cubic foot per second for conveyance water May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use" provision below for stock water and conveyance loss for irrigation)

Priority Date: **January 1, 1898**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of Big Nugget and Gold Bar placer mining claim locations lying easterly of an existing roadway known as the Old Williams Creek Road and northerly of an existing road more fully described as follows: Beginning at the intersection of the centerline of an existing road and the east property boundary line of Gold Bar placer claim, said point being S 61°49'48" E 304.59 feet from the south one quarter corner of Section 36, T. 21 N., R. 17 E.W.M.; thence N 58°21'25" W 115.27 feet; thence N 78°02'17" W 153.65 feet; thence N 16°03'16" W 100.98 feet; thence N 04°23'14" W 132.49 feet; thence N 25°38'56" W 91.50 feet; thence N 71°19'49" W 70.42 feet; to a point which point is the intersection of the centerline of the previously described road with the centerline of the Old Williams Creek Road. Less that portion of the preceding parcel lying within the Big Nugget placer mining claim.

Limitations Of Use: POD "A": During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above.

This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

CLAIMANT NAME: **Steven A. Minalia  
& Karen R. Minalia**

COURT CLAIM NO. 12137

Certificate Number: S4-83920-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 4.0 acres and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: 0.40 cubic foot per second; 40 acre-feet per year for irrigation of 4 acres, 1 acre-foot consumptively for stock water May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use" provision below for stock water and conveyance loss for irrigation)

Priority Date: **January 1, 1898**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: PARCEL A: That portion of Lot 3 of Cromarty Short Plat, as described and delineated on Kittitas County Short Plat No. 77-05, recorded September 8, 1977, under Auditor's File No. 416218, and filed in Volume "A" of Short Plats, Page 18, Records of Kittitas County, State of Washington, being a portion of Section 36, T. 21 N., R. 17 E.W.M., and a portion of Section 1, T. 20 N., R. 17 E.W.M., Kittitas County, State of Washington, which is described as follows: Commencing at the existing Iron Pin Monument marking the southeast corner of the patented mining claim known as Gold Bar Placer Mine and the southeast corner of said Lot 3, said point being the true point of beginning: Thence N 32°49'59" W, a distance of 768.64 feet to the westerly boundary line of said Lot 3; thence on the following courses, and distances on the boundary line of said Lot 3; (A) Northeasterly on a 272.97 foot radius curve concave to the northwest an arc distance of 1.37 feet, the long chord of said curve being N 19°15'05" E, a distance of 1.37 feet; (B) N 19°06'27" E, a distance of 67.63 feet; (C) Northeasterly on a 430.00 foot radius curve concave to the northwest an arc distance of 108.30 feet, the long chord of said curve being N 11°53'33" E, a distance of 108.01 feet; (D) N 04°40'39" E, a distance of 85.30 feet; (E) Northeasterly on a 10.00 foot radius curve concave to the southeast an arc distance of 18.15 feet, the long chord of said curve being N 56°40'25" E, a distance of 15.76 feet; (F) Southeasterly on a 15.66 foot radius curve concave to the southwest an arc distance of 12.48 feet, the

long chord of said curve being S 48°29'23" E, a distance of 12.16 feet; (G) S 25°38'57" E, a distance of 25.34 feet; (H) Southeasterly on a 220.00 foot radius curve concave to the southwest an arc distance of 81.64 feet, the long chord of said curve being S 15°01'05" E, a distance of 81.17 feet; (I) S 04°23'14" E, a distance of 73.30 feet; (J) Southeasterly on a 150.00 foot radius curve concave to the northeast an arc distance of 30.54 feet, the long chord of said curve being S 10°13'15" E, a distance of 30.49 feet; (K) S 16°03'16" E, a distance of 16.64 feet; (L) Southeasterly on a 150.00 foot radius curve concave to the northeast an arc distance of 162.27 feet, the long chord of said curve being S 47°02'47" E, a distance of 154.47 feet; (M) S 78°02'17" E, a distance of 46.88 feet; (N) Southeasterly on a 170.00 foot radius curve concave to the southwest an arc distance of 58.40 feet, the long chord of said curve being S 68°11'51" E, a distance of 58.11 feet; (O) S 58°21'25" E, a distance of 93.39 feet; (P) S 00°18'31" E, a distance of 496.48 feet to the true point of beginning. (Also known as Parcel 2 of survey filed in Volume 13 of Surveys, Page 28).

PARCEL B: That portion of Lot 3, of Cromarty Short Plat, as described and delineated on Short Plat No. 77-05, recorded September 8, 1977, under Auditor's File No. 416218, and filed in Volume "A" of Short Plats, Page 18, being a portion of Section 36, T. 21 N., R. 17 E.W.M., and Section 1, T. 20 N., R. 17 E.W.M., Kittitas County, State of Washington, which is described as follows: Commencing at the existing Iron Pin Monument marking the southeast quarter of the patented mining claim known as Gold Bar Placer Mine and the southeast corner of said Lot 3, said point being the true point of beginning: Thence on the following courses and distances on the boundary line of said Lot 3: (A) S 88°47'44" W, a distance of 205.89 feet; (B) N 36°49'57" W, a distance of 551.68 feet; (C) N 01°18'42" E, a distance of 66.75 feet; (D) Northeasterly on a 210.00 foot radius curve concave to the northwest an arc distance of 59.80 feet, the long chord of said curve being N 54°40'50" E, a distance of 59.60 feet; (E) Northeasterly on a 272.97 foot radius curve concave to the northwest an arc distance of 129.24 feet, the long chord of said curve being N 32°57'31" E, a distance of 128.04 feet; (F) Thence S 32°49'59" E, a distance of 768.64 feet to the true point of beginning. (Also known as Parcel 1 of survey filed in Volume 13 of Surveys, Page 28).

**Limitations Of Use:**

During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above. This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31

and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

CLAIMANT NAME: **Gerald R. Peltola  
& Barbara J. Peltola**

COURT CLAIM NO. 12310

Certificate Number: S4-83919-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 2 acres and stock water

Period of Use: May 1 through October 31 for irrigation and continuously for stock water

Quantity: POD "A": 0.10 cubic foot per second; 10 acre-feet per year for irrigation of 1 acre, 1 acre-foot consumptively for stock water from May 1 through October 31 and 2.2 cubic feet per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use POD A" provision below for stock water and conveyance loss for irrigation)

POD "B": 0.10 cubic foot per second; 10 acre-feet per year for irrigation of 1 acre, 1 acre-foot consumptively for stock water from May 1 through October 31, 0.50 cubic foot per second; 1 acre-foot consumptively for stock water November 1 through April 30 (see "Limitations of Use POD B" provision below for stock water)

Priority Date: **January 1, 1898**

Point of Diversion: POD "A": 1580 feet north and 130 feet east of the south quarter corner of Section 36, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

POD "B": 110 feet north and 450 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Within the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 1, T. 20 N., R. 17 E.W.M.

Place of Use: Lot 2 of the Cromarty Short Plat, as described and delineated on Short Plat No. 77-05 recorded September 8, 1977, under Auditor's File No. 416218 and filed in Volume "A" of Short Plats, Page 18, Records of Kittitas County, being a portion of Section 36, T. 21 N., R. 17 E.W.M. and Section 1, T. 20 N., R. 17 E.W.M.

Limitations Of Use: POD "A": During periods when beneficial use of water for irrigation is occurring through ditch "A" up to 0.80 cfs is authorized for conveyance loss. This quantity is an in common use for the partners in ditch "A," the point of diversion of which is described above.

This stock water right is shared in common by owners of land through which this ditch passes; therefore, the total

instantaneous and annual quantities for stock water for the collective properties shall not exceed 1 acre-foot consumptively May 1 through October 31 and 2.2 cfs; 1 acre-foot consumptively November 1 through April 30.

POD "B": This stock water right is shared in common by the owners of land through which this ditch passes. The total instantaneous and annual quantities for stock water for the collective properties shall not exceed 0.50 cfs; 1 acre-foot consumptively from November 1 through April 30 and 1 acre-foot consumptively for the period May 1 through October 31.

Comments:

This water right reflects changes approved pursuant to Water Right Change Application No. CS4-12310CTCL.

CLAIMANT NAME: **WHSC, LLC**

COURT CLAIM NO. 01087

Certificate Number: S4-83883-J

Subbasin: 04 Swauk Creek

Source: Yakima River

Use: Irrigation of 50 acres

Period of Use: April 15 through October 15

Quantity: 1 cubic foot per second; 250 acre-feet per year

Priority Date: **July 27, 1899**

Point of Diversion: 220 feet north and 300 feet east from the center of Section 28, within the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 28, T. 19 N., R. 17 E.W.M.

Place of Use: The S $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 33, T. 19 N., R. 17 E.W.M.



CLAIMANT NAME: **Horse Canyon Ranch LLC**

COURT CLAIM NO. 01146

Certificate Number: S4-83884-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Irrigation of 5 acres

Period of Use: April 1 through October 15

Quantity: 0.375 cubic foot per second; 37.5 acre-feet per year

Priority Date: **April 9, 1901**

Point of Diversion: Approximately 160 feet west and 35 feet north of the southeast corner of Section 32, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32, T. 20 N., R. 17 E.W.M.

Place of Use: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 32, T. 20 N., R. 17 E.W.M.

Comments: This water right reflects changes approved pursuant to Water Right Change Application No. CS4-01146CTCLsb4@6.

CLAIMANT NAME: **The Estate of William Siepmann  
& Elna Irene Siepmann** COURT CLAIM NO. 01278

Certificate Number: S4-83886-J

Subbasin: 04 Swauk Creek

Source: Wildcat Gulch

Use: Irrigation of 0.5 acre and stock water

Period of Use: April 15 through September 15

Quantity: 0.03 cubic foot per second; 3 acre-feet per year

Priority Date: **June 4, 1903**

Point of Diversion: 50 feet south and 1200 feet west of the north quarter corner of Section 15, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 15, T. 20 N., R. 17 E.W.M.

Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 15, T. 20 N., R. 17 E.W.M.

CLAIMANT NAME: **Bernard Paul Knoll**

COURT CLAIM NO. 12062

Certificate Number: S4-83934-J

Subbasin: 04 Swauk Creek

Source: Williams Creek

Use: Irrigation of 3 acres and stock water

Period of Use: May 1 through September 30 for irrigation and continuously for stock water

Quantity: 0.30 cfs, 30 acre-feet per year for irrigation, 0.01 cfs, 1 acre-foot consumptively for stock water and 1.57 cfs for conveyance loss May 1 through September 30; and 0.30 cfs, 1 acre-foot consumptively for stock water from October 1 through April 30

Priority Date: **September 30, 1909**

Point of Diversion: 110 feet north and 405 feet west of the south quarter corner of Section 36, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

Place of Use: That portion of Lot 4 Cromarty Short Plat 77-05 lying westerly of Williams Creek and easterly of the Kirsch-Pettigrew Ditch being a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 36, T. 21 N., R. 17 E.W.M.

CLAIMANT NAME: **Del L. Holter** COURT CLAIM NO. 01471

Certificate Number: S4-83910-J

Subbasin: 04 Swauk Creek

Source: Unnamed spring

Use: Domestic supply and mining

Period of Use: Continuously for domestic supply and March 15 through November 15 for mining

Quantity: 0.01 cubic foot per second; 4 acre-feet per year for domestic supply and 0.03 cubic foot per second; 2 acre-feet per year for mining

Priority Date: **June 19, 1960**

Point of Diversion: 200 feet west and 100 feet south of the center of Section 2, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2, T. 20 N., R. 17 E.W.M.

Place of Use: All of that portion of Blackjack Placer Mine, designated as Survey No. 1203, located in Section 2, T. 20 N., R. 17 E.W.M. which is described as follows: Commencing at corner No. 1, from which the south quarter corner of said section bears S 46°29' E 421.22 feet distant, and running thence N 16°25' W 599.5 feet to corner No. 2; thence N 63°25' E 727.3 feet; thence southerly to a point in the southerly boundary line which is 702 feet northeasterly from corner No. 1, measured along said south boundary line; and thence S 62°15' W, along said south boundary line, 702 feet to the point of beginning. EXCEPT: 1. Easement for right of way for logging railway over a strip 75 feet in width, conveyed to Cascade Lumber Company by 57 of Deeds, Page 11. 2. Easement for county road as conveyed by 58 of Deeds, Page 384.

CLAIMANT NAME: **Gold Placers, Inc.**

COURT CLAIM NO. 01561

Certificate Number: S4-83892-J

Subbasin: 04 Swauk Creek

Source: Boulder Creek and Williams Creek

Use: Placer Mining

Period of Use: March 1 through November 15

Quantity: 1.5 cubic feet per second; 49 acre-feet per year

Priority Date: **December 18, 1961**

Point of Diversion: Boulder Creek: At any point on the creek channel within the west 2000 feet of the S $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 6, T. 20 N., R. 18 E.W.M. and the SE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 1, T. 20 N., R. 17 E.W.M.

Williams Creek: At any point on the creek channel within the SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 1 and within the SE $\frac{1}{4}$  of Section 2, T. 20 N., R. 17 E.W.M.

Place of Use: The E $\frac{1}{2}$  of Blackjack; Mineral Survey No. 1203, Discovery and Theresa; Mineral Survey No. 343, Bigney; Mineral Survey No. 1206, Elliot; Mineral Survey No. 1206, 1916; Mineral Survey No. 1159, Little May; Mineral Survey No. 1159, Boulder Creek; Mineral Survey No. 1159, Nugget and Gold Bar, Mineral Survey No. 1204, New Discovery; Mineral Survey No. 1205, Last Chance, Golden Eagle, Snyder.

CLAIMANT NAME:

**Dennis Mickens  
& Georgiana Mickens**

COURT CLAIM NO. 00348

Certificate Number: S4-83878-J

Subbasin: 04 Swauk Creek

Source: Deer Creek

Use: Irrigation of 25 acres

Period of Use: May 1 through June 15

Quantity: 0.60 cubic foot per second; 25 acre-foot per year

Priority Date: **July 24, 1963**

Point of Diversion: 1000 feet south and 800 feet east of the center of Section 11, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 11, T. 20 N., R. 17 E.W.M.

Place of Use: The SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 10 and the W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11 in T. 20 N., R. 17 E.W.M.

CLAIMANT NAME:

**Dennis Mickens  
& Georgiana Mickens**

COURT CLAIM NO. 00348

Certificate Number:

S4-83877-J

Subbasin:

04 Swauk Creek

Source:

Two unnamed springs

Use:

Continuous domestic supply for one home

Period of Use:

Continuous

Quantity:

0.02 cubic foot per second; 1 acre-foot per year

Priority Date:

**July 24, 1963**

Point of Diversion:

POD 1: 600 feet north and 400 feet east from the southwest corner of Section 11, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 11, T. 20 N., R. 17 E.W.M.

POD 2: 100 feet north and 500 feet east of the west quarter corner of Section 11, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11, T. 20 N., R. 17 E.W.M.

Place of Use:

The S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 11, T. 20 N., R. 17 E.W.M.

CLAIMANT NAME: **Columbia Cascade Land Company, Inc.** COURT CLAIM NO. 01096

Certificate Number: S4-83905-J

Subbasin: 04 Swauk Creek

Source: An unnamed spring

Use: Group domestic supply

Period of Use: Continuously

Quantity: 0.006 cubic foot per second; 2 acre-feet per year

Priority Date: **June 30, 1965**

Point of Diversion: 700 feet north and 100 feet east from the south quarter corner of Section 18, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 18, T. 21 N., R. 18 E.W.M.

Place of Use: The Plat of Liberty Mountain No. 1; and Plat of Liberty Mountain No. 2; and the unplatted portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 18; ALL within the S $\frac{1}{2}$  of Section 18, T. 21 N., R. 18 E.W.M.



CLAIMANT NAME: **Liberty Mt. Ownership Assoc., Inc.** COURT CLAIM NO. 01095

Certificate Number: S4-83906-J

Subbasin: 04 Swauk Creek

Source: Two unnamed springs

Use: Group domestic supply

Period of Use: Continuously

Quantity: 0.014 cubic foot per second; 5 acre-feet per year

Priority Date: **June 30, 1965**

Point of Diversion: Spring Lot C; and Park Lot A; both within the Plat of Liberty Mountain No. 1 of Section 18, T. 21 N., R. 18 E.W.M.

Place of Use: Lands served by Liberty Mountain Ownership Association, Inc., within the S½ of Section 18, T. 21 N., R. 18 E.W.M.

CLAIMANT NAME: **Liberty Mt. Ownership Assoc., Inc.** COURT CLAIM NO. 01096

Certificate Number: S4-83904-J

Subbasin: 04 Swauk Creek

Source: An unnamed stream

Use: Fish propagation

Period of Use: Continuously

Quantity: 0.50 cubic foot per second

Priority Date: **June 30, 1965**

Point of Diversion: 550 feet north and 650 feet east from the southwest corner of Section 17, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 17, T. 21 N., R. 18 E.W.M.

Place of Use: The S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 18, T. 21 N., R. 18 E.W.M.

Limitations Of Use: The diversion intake shall be tightly screened at all times with wire having a mesh opening not greater than 0.125 (1/8) inch.

CLAIMANT NAME: **Linda L. Lewis, et al.**  
**Robert L. Vankirk**  
**Michelle L. Maillot**

COURT CLAIM NO. 00747

Certificate Number: S4-83903-J

Subbasin: 04 Swauk Creek

Source: An unnamed stream

Use: Single domestic supply

Period of Use: Continuously

Quantity: 0.01 cubic foot per second; 2 acre-feet per year

Priority Date: **July 21, 1966**

Point of Diversion: 1000 feet north and 1200 feet west from the south quarter corner of Section 10, being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, T. 20 N., R. 17 E.W.M.

Place of Use: SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 10, T. 20 N., R. 17 E.W.M.

Limitations Of Use: The diversion intake should be tightly screened at all times with wire having a mesh opening not greater than 0.125 (1/8) inch.

CLAIMANT NAME: **Lookout Mountain Associates** COURT CLAIM NO. 01479  
**Mr. Marlyn Bateman**  
**& Mrs. Marlyn Bateman**

Certificate Number: S4-83891-J

Subbasin: 04 Swauk Creek

Source: Pump House Spring

Use: Domestic supply for two residences and stock water

Period of Use: Continuously

Quantity: 0.00222 cubic foot per second (1 gallon per minute),  
1.0 acre-foot per year for domestic supply; 0.50 acre-foot  
per year for stock water

Priority Date: **August 16, 1969**

Point of Diversion: 700 feet south and 300 feet west from the northeast corner  
of Section 11 being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 11,  
T. 19 N., R. 16 E.W.M.

Place of Use: The following parcels in T. 19 N., R. 16 E.W.M. in Kittitas  
County, Washington:

Beginning at the northwest corner of the NE $\frac{1}{4}$  of Section 12,  
which is the true point of beginning; thence southerly  
along the west line of the said NE $\frac{1}{4}$  890 feet; thence east  
660 feet; thence south 175 feet; thence S 23°30' E  
350 feet; thence N 65°30' E 610 feet; thence in a north-  
northwesterly direction to a point on the north line of  
Section 12 which is 900 feet easterly of the northwest  
corner of the NE $\frac{1}{4}$  of Section 12; thence westerly along said  
north line of Section 12 to the true point of beginning;  
AND beginning at the southwest corner of Section 1, thence  
northerly along the west line of Section 1, 230 feet to the  
true point of beginning; thence easterly along a line  
parallel to the south line of Section 1 1000 feet; thence  
north 300 feet; thence in a northwesterly direction to a  
point on the west line of Section 1 which is 1230 feet  
north of the southwest corner of Section 1; thence  
southerly along the west line of Section 1 to the true  
point of beginning.

CLAIMANT NAME: **Cle Elum Pines East LLC** COURT CLAIM NO. 01146

Certificate Number: S4-83915-J

Subbasin: 04 Swauk Creek

Source: An unnamed spring and a well

Use: Group domestic supply and stock water

Period of Use: Continuously

Quantity: 0.06 cubic foot per second; 6 acre-feet per year for group domestic supply and 1 acre-foot per year for stock water

Priority Date: **June 18, 1974**

Point of Diversion: Spring: 1200 feet south and 1200 feet west of the center of Section 33, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M.

Well: 650 feet south and 1,110 feet west of the center of Section 33, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M.

Place of Use: The NW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 33, T. 20 N., R. 17 E.W.M.

Comments: This water right reflects changes approved pursuant to Water Right Change Authorization No. CS4-01146CTCL@2.

CLAIMANT NAME: **Tony Cebe**

COURT CLAIM NO. 02050

Certificate Number: S4-83895-J

Subbasin: 04 Swauk Creek

Source: Unnamed spring

Use: Domestic supply (single)

Period of Use: Continuously

Quantity: 0.002 cubic foot per second; 0.5 acre-foot per year

Priority Date: **June 26, 1974**

Point of Diversion: 1750 feet north and 990 feet west of the southeast corner of Section 3, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T. 20 N., R. 17 E.W.M.

Place of Use: NE $\frac{1}{4}$ SE $\frac{1}{4}$  and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 3, T. 20 N., R. 17 E.W.M.

CLAIMANT NAME: **Ronald Hand**

COURT CLAIM NO. 01423

Certificate Number: S4-83901-J

Subbasin: 04 Swauk Creek

Source: Swauk Creek

Use: Single domestic supply

Period of Use: Continuous

Quantity: 0.01 cubic foot per second; 1 acre-foot per year

Priority Date: **September 30, 1974**

Point of Diversion: 1100 feet north and 100 feet east from the west quarter corner of Section 27, being within the SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 27, T. 20 N., R. 17 E.W.M.

Place of Use: NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Section 27, T. 20 N., R. 17 E.W.M.

Limitations Of Use: Use shall be limited to in-house domestic use and not for irrigation of lawn and garden.